

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**STEVEN CREAR**

**Plaintiff,**

**V.**

**LONG BEACH MORTGAGE  
WASHINGTON MUTUAL BANK  
MORTGAGE SECURITY  
CORPORATION  
CHASE BANK, N.A.**

## Defendants.

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**CIVIL ACTION NO. 3:19-cv-02255-M**

## JURY

**DEFENDANT JPMORGAN CHASE BANK N.A'S MOTION TO LABEL PLAINTIFF  
A VEXATIOUS LITIGANT AND FOR SANCTIONS**

Defendant JPMorgan Chase Bank, National Association, incorrectly named as “J.P. Morgan Chase Bank, N.A.” (“JPMC”) files this Motion to Label Plaintiff a Vexatious Litigant and for Sanctions, asking the Court to label Plaintiff Steven Crear a vexatious litigant and to sanction him by entering an injunction preventing him from filing additional suits in this district against JPMC and its predecessors in interest relating to the property at issue in this suit and respectfully shows the Court as follows:

1. JPMC files this Motion pursuant to the All Writs Act, 28 U.S.C. § 1651, and the court's inherent power because Plaintiff's actions and filings, including at least five lawsuits relating to the loan and real property underlying this lawsuit and at least four similar lawsuits relating to another loan and piece of real property establish he is a vexatious litigant because he

has filed numerous, harassing, and duplicative lawsuits without a good faith basis for pursuing the litigation that has imposed a substantial burden on both JPMC and the courts.

2. The requested relief is the most narrow sanction available that will adequately prevent Plaintiff from harassing JPMC and protect this Court's jurisdiction and docket.

3. Legal argument in support of this motion is provided in the accompanying brief.

WHEREFORE, Defendant JPMorgan Chase Bank, N.A. prays that the Court grant this Motion to Label Plaintiff a Vexatious Litigant and for Sanctions and for whatever further relief it may be entitled to.

Respectfully submitted,

/s/ Eric G. Carlson

WM. LANCE LEWIS

Texas Bar No. 12314560

ERIC G. CARLSON

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**ATTORNEYS FOR DEFENDANT  
JPMORGAN CHASE BANK, N.A.**

**CERTIFICATE OF CONFERENCE**

This is to certify that on October 3, 8, and 23, 2019 counsel for Defendant JP Morgan Chase Bank, N.A. attempted to confer with Plaintiff regarding the relief sought in this motion by telephone and left messages with Plaintiff regarding the same. Additionally, although relief is not sought pursuant to Rule 11, counsel for Defendant sent Plaintiff, via certified mail return receipt requested, a copy of the Motion and Supporting brief on October 1, 2019 to allow him to withdraw the challenged filings and agree to the relief sought herein prior to filing. Plaintiff did not return the messages or respond to the correspondence and counsel for Defendant has been unable to reach Plaintiff to confer.

/s/ Eric G. Carlson

Eric G. Carlson

**CERTIFICATE OF SERVICE**

This is to certify that on October 1, 2019 and October 23, 2019 a true and correct copy of the foregoing pleading has been furnished to Plaintiff, via certified mail, return receipt requested, in accordance with the Federal Rules of Civil Procedure.

Stephen Crear  
1617 Gillarel Springs  
Dallas, Texas 75241  
*Pro se Plaintiff*

/s/ Eric G. Carlson

Eric G. Carlson